APPENDIX A
Consultation Materials
<table>
<thead>
<tr>
<th>Title</th>
<th>First Name</th>
<th>Last Name</th>
<th>Department</th>
<th>Address</th>
<th>City</th>
<th>Province</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest Agency</td>
<td>Cynthia</td>
<td>Mitton-Wilkie</td>
<td>Senior Biologist, Ontario - Great Lakes Area</td>
<td>867 Lakeshore Road</td>
<td>Burlington</td>
<td>ON</td>
<td>905-336-4821</td>
<td><a href="mailto:cynthia.mitton-wilkie@dfo-mpo.gc.ca">cynthia.mitton-wilkie@dfo-mpo.gc.ca</a></td>
</tr>
<tr>
<td>Interest Agency</td>
<td>Barbara</td>
<td>Slattery</td>
<td>West Central Region EA/Planning Coordinator</td>
<td>119 King Street West, 12th floor</td>
<td>Hamilton</td>
<td>ON</td>
<td>905-521-7864</td>
<td><a href="mailto:barbara.slattery@ontario.ca">barbara.slattery@ontario.ca</a></td>
</tr>
<tr>
<td>Interest Agency</td>
<td>Amy</td>
<td>Shaw</td>
<td>District Manager</td>
<td>1 Stone Road West, 4th floor</td>
<td>Guelph</td>
<td>ON</td>
<td>519-826-4258</td>
<td><a href="mailto:amy.shaw@ontario.ca">amy.shaw@ontario.ca</a></td>
</tr>
<tr>
<td>Interest Agency</td>
<td>Michael</td>
<td>Spencer</td>
<td>Surface Water Group Leader</td>
<td>119 King Street West, 12th floor</td>
<td>Hamilton</td>
<td>ON</td>
<td>905-521-7864</td>
<td><a href="mailto:michael.spencer@ontario.ca">michael.spencer@ontario.ca</a></td>
</tr>
<tr>
<td>Interest Agency</td>
<td>David</td>
<td>Marriot</td>
<td>District Planner</td>
<td>1 Stone Road West</td>
<td>Guelph</td>
<td>ON</td>
<td>519-826-4926</td>
<td><a href="mailto:david.marriott@ontario.ca">david.marriott@ontario.ca</a></td>
</tr>
<tr>
<td>Interest Agency</td>
<td>Katherine</td>
<td>Kirzati</td>
<td>Heritage Planner</td>
<td>401 Bay Street, Suite 1700</td>
<td>Toronto</td>
<td>ON</td>
<td>416-728-3494</td>
<td><a href="mailto:katherine.kirzati@ontario.ca">katherine.kirzati@ontario.ca</a></td>
</tr>
<tr>
<td>Interest Agency</td>
<td>Tate</td>
<td>Kelly</td>
<td>Planning Coordinator</td>
<td>2 Dundas St. W, Suite 2000</td>
<td>Toronto</td>
<td>ON</td>
<td>647-264-3815</td>
<td><a href="mailto:tate.kelly@infrastructureontario.ca">tate.kelly@infrastructureontario.ca</a></td>
</tr>
<tr>
<td>Interest Agency</td>
<td>Fid</td>
<td>Leonard</td>
<td>Asset Management South Region Director</td>
<td>2 Dundas St. W, Suite 2000</td>
<td>Toronto</td>
<td>ON</td>
<td>519-757-6541</td>
<td><a href="mailto:fid.leonard@infrastructureontario.ca">fid.leonard@infrastructureontario.ca</a></td>
</tr>
<tr>
<td>Interest Agency</td>
<td>Tony</td>
<td>Amalfa</td>
<td>Environmental Health Policy &amp; Programs Unit Manager</td>
<td>393 University Avenue, Suite 2100</td>
<td>Toronto</td>
<td>ON</td>
<td>416-327-7624</td>
<td><a href="mailto:tony.amalfa@ontario.ca">tony.amalfa@ontario.ca</a></td>
</tr>
<tr>
<td>Interest Agency</td>
<td>John</td>
<td>Brum</td>
<td>Resource Planner</td>
<td>400 Clyde Road, PO Box 729</td>
<td>Cambridge</td>
<td>ON</td>
<td>519-621-2763</td>
<td><a href="mailto:jbrum@grandriver.ca">jbrum@grandriver.ca</a></td>
</tr>
<tr>
<td>Interest Agency</td>
<td>Gus</td>
<td>Rung</td>
<td>Senior Water Resources Engineer</td>
<td>400 Clyde Road, PO Box 729</td>
<td>Cambridge</td>
<td>ON</td>
<td>519-621-2763</td>
<td><a href="mailto:grungis@grandriver.ca">grungis@grandriver.ca</a></td>
</tr>
<tr>
<td>Interest Agency</td>
<td>Beth</td>
<td>Brown</td>
<td>Property Manager</td>
<td>402 Clyde Road, PO Box 729</td>
<td>Cambridge</td>
<td>ON</td>
<td>519-621-2763</td>
<td><a href="mailto:bbrown@grandriver.ca">bbrown@grandriver.ca</a></td>
</tr>
<tr>
<td>Municipal</td>
<td>Phil</td>
<td>Dechene</td>
<td>Public Works Director</td>
<td>50 Dickson Street</td>
<td>Cambridge</td>
<td>ON</td>
<td>519-621-0740</td>
<td><a href="mailto:DecheneP@cambridge.ca">DecheneP@cambridge.ca</a></td>
</tr>
<tr>
<td>Municipal</td>
<td>Sarah</td>
<td>Austin</td>
<td>Community Development Manager</td>
<td>50 Dickson Street</td>
<td>Cambridge</td>
<td>ON</td>
<td>519-623-1340</td>
<td><a href="mailto:AustinS@cambridge.ca">AustinS@cambridge.ca</a></td>
</tr>
<tr>
<td>Municipal</td>
<td>Michael</td>
<td>Di Lullo</td>
<td>Clerk</td>
<td>50 Dickson Street, 1st floor</td>
<td>Cambridge</td>
<td>ON</td>
<td>519-623-1340</td>
<td><a href="mailto:clerks@cambridge.ca">clerks@cambridge.ca</a></td>
</tr>
<tr>
<td>Regional</td>
<td>Kate</td>
<td>Hagerman</td>
<td>Region of Waterloo Ecological and Environmental Advisory Committee</td>
<td>150 Frederick Street, 8th Floor</td>
<td>Kitchener</td>
<td>ON</td>
<td>519-757-4501</td>
<td><a href="mailto:kahagerman@regionofwaterloo.ca">kahagerman@regionofwaterloo.ca</a></td>
</tr>
<tr>
<td>Regional</td>
<td>Bridget</td>
<td>Coody</td>
<td>Region of Waterloo Heritage Planning Advisory Committee</td>
<td>150 Frederick Street, 8th Floor</td>
<td>Kitchener</td>
<td>ON</td>
<td>519-757-6000</td>
<td><a href="mailto:bcody@regionofwaterloo.ca">bcody@regionofwaterloo.ca</a></td>
</tr>
<tr>
<td>Municipal</td>
<td>Julia</td>
<td>Wilde</td>
<td>Cambridge Municipal Heritage Committee</td>
<td>50 Dickson Street</td>
<td>Cambridge</td>
<td>ON</td>
<td>519-623-1340</td>
<td><a href="mailto:planning@cambridge.ca">planning@cambridge.ca</a></td>
</tr>
</tbody>
</table>
The Region of Waterloo (Region) has initiated a Municipal Class Environmental Assessment (EA) Study to consider options to repair or replace a watermain that crosses the Concession Street Bridge in Cambridge (please refer to Study Area map). In the winter of 2018, unusual weather conditions caused damage to the watermain on the Bridge. The EA Study is being undertaken following the completion of the Rehabilitation Assessment Report (Stantec, 2020) to identify a recommended approach to reconstructing the watermain to minimize environmental impacts and prevent similar damage in the future.

How is this Study being undertaken?

This Study is being undertaken in accordance with the planning and design process for Schedule B projects, as outlined in the Municipal Class Environmental Assessment document (October 2000, as amended), which is an approved process under the Ontario Environmental Assessment Act.

How can I participate in this Study?

A Virtual Public Consultation Centre will be held in December through the Region’s YouTube channel to present information on the study and preliminary recommendations. Preliminary recommendations of the study include a proposed alignment for the new watermain which utilizes trenchless technology to construct a watermain crossing under the Grand River. A similar Notice will be posted to provide more information on the Virtual Public Consultation Centre.

Please contact one of the following team members if you have any questions or comments or would like to be added to the project mailing list. You can also fill out the comment sheet on the Region’s website and provide that to one of the following team members.

If you would like more information on the Study, or would like to sign up for the Study contact list, please contact:

Kevin Dolishny  
Senior Engineer  
Region of Waterloo  
Phone: 519-575-4400 ext 3862  
Email: kdolishny@regionofwaterloo.ca

Al Mueller,  
Project Manager  
Stantec Consulting Ltd.  
Phone: 519 585-7261  
Email: al.mueller@stantec.com

All comments and information received from individuals, stakeholder groups and agencies regarding this project are being collected under the authority of the “Municipal Act” to assist the Region of Waterloo in making a decision. Under the “Municipal Act”, personal information such as name, address, telephone number, and property location that may be included in a submission becomes part of the public record. Questions regarding the collection of this information should be directed to Kevin Dolishny at the Region of Waterloo.

This Notice was first published October 27, 2020.
## Concession Street Bridge
### Municipal Class Environmental Assessment

#### Team Response and Commitment to Environmental Requirements

<table>
<thead>
<tr>
<th>Contact Information</th>
<th>Date/Method of Communication</th>
<th>Comment/Concern</th>
<th>Response/Commitment to Carry Forward</th>
</tr>
</thead>
</table>
| **Six Nations of the Grand River Territory**  
1695 Chiefswood Road, PO Box 5000  
Ohsweken, ON, N0A 1M0  
Chief Mark Hill  
#: 519-732-2905  
markhill@sixnations.ca | Notice of Commencement was sent via Canada Post and published on the Region’s website on October 27, 2020. | No comments were received. |  |
| **Six Nations of the Grand River Territory Land Resources Department**  
2498 Chiefswood Road, PO Box 5000  
Ohsweken, ON, N0A 1M0  
Lonny Bomberry - Lands and Resources Director  
bomberry@sixnations.ca | Notice of PCC#1 was published on December 9th, 2020, and a further follow-up email regarding the EA Project was sent. | No comments were received. |  |
| **Six Nations Wildlife Management Office**  
1721 Iroquois Village Plaza, P.O. Box 5000, Unit 109  
Ohsweken, ON, N0A 1M0  
Paul General – Wildlife Manager  
general@sixnations.ca | Notice of Completion was sent via email and published on the Region’s website on February 3, 2021. | |  |
| **Six Nations Haudenosaunee Confederacy Chiefs Council**  
2634 6th Line Road, R.R. #2  
Ohsweken, ON, N0A 1M0  
Secretary, Leroy Hill  
jocko@sixnations.ca | Notice of Commencement was sent via Canada Post and published on the Region’s website on October 27, 2020. | No comments were received. |  |
| **Mississaugas of the Credit First Nation**  
2789 Mississauga Road, RR # 6  
Hagersville, ON, N0A 1H0  
905-768-0100  
Chief R. Stacey LaForme  
Stacey.Laforme@newcreditfirstnation.com  
Department of Consultation and Accommodation | Notice of Commencement was sent via Canada Post and published on the Region’s website on October 27, 2020. | Letter of response received December 7, 2020.  
Request that a Field Liaison Representative be on location during fieldwork to ensure the nation’s special interests are respected. Also requested that the Archeology Unit, Environment Unit, and FLR Unit be contacted for future follow-up. Outstanding project information also requested. | Outstanding project information provided along with follow-up letter.  
To be added to contact list for follow-up:  
Archaeology Unit + FLR Participation – Megan Devries  
(megan.devries@mncfn.ca)  
Environment Unit – Fawn Sault (Temp)  
(fawn.sault@mncfn.ca) |
Concession Street Bridge  
Municipal Class Environmental Assessment

<table>
<thead>
<tr>
<th>Contact Information</th>
<th>Date/Method of Communication</th>
<th>Comment/Concern</th>
<th>Response/Commitment to Carry Forward</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fawn Sault, Consultation Manager</td>
<td>Notice of PCC#1 was published on December 9th, 2020, and a further follow-up email regarding the EA Project was sent.</td>
<td>No comments were received.</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:Fawn.Sault@newcreditfirstnation.com">Fawn.Sault@newcreditfirstnation.com</a></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Notice of Completion was sent via email and published on the Region’s website on February 3, 2021.</td>
<td></td>
<td></td>
</tr>
</tbody>
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Hello,

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I am following up with you to see if you have any comments, questions, or concerns regarding the information provided or regarding the Concession Street Bridge Watermain Repair project in general? I can be reached at the below email or cell number should you wish to discuss this project further.

Best regards,

Moira Davidson
BES
Urban Planner
Direct: 519 585-7295
Cell: 289 244-8222
Moira.Davidson@stantec.com

Stantec
100-300 Hagey Boulevard
Waterloo ON N2L 0A4

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Please consider the environment before printing this email.
Hello,

The Region of Waterloo (Region) has initiated a Municipal Class Environmental Assessment (EA) Study to consider options to repair or replace a watermain that crosses the Concession Street Bridge in Cambridge. In the winter of 2018, unusual weather conditions caused damage to the watermain on the Bridge. The EA Study is being undertaken following the completion of the Rehabilitation Assessment Report (Stantec, 2020) to identify a recommended approach to reconstructing the watermain to minimize environmental impacts and prevent similar damage in the future. Stantec is assisting the Region of Waterloo with the EA process and a notice of commencement was published and mailed to you on October 27, 2020.

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Best regards,

Moira Davidson

BES

Urban Planner

Direct: 519 585-7295

Cell: 289 244-8222

Moira.Davidson@stantec.com

Stantec

100-300 Hagey Boulevard

Waterloo ON N2L 0A4
Hello,

The Region of Waterloo (Region) has initiated a Municipal Class Environmental Assessment (EA) Study to consider options to repair or replace a watermain that crosses the Concession Street Bridge in Cambridge. In the winter of 2018, unusual weather conditions caused damage to the watermain on the Bridge. The EA Study is being undertake following the completion of the Rehabilitation Assessment Report (Stantec, 2020) to identify a recommended approach to reconstructing the watermain to minimize environmental impacts and prevent similar damage in the future. Stantec is assisting the Region of Waterloo with the EA process and a notice of commencement was published and mailed to you on October 27, 2020.

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Best regards,

Moira Davidson
BES
Urban Planner
Direct: 519 585-7295
Cell: 289 244-8222
Moira.Davidson@stantec.com

Stantec
100-300 Hagey Boulevard
Waterloo ON N2L 0A4
December 7, 2020

VIA EMAIL

Kevin Dolishny, Senior Engineer
Region of Waterloo
kdolishny@regionofwaterloo.ca

Dear Kevin,

**RE: MCFN Response to** the Notice of Study Commencement Concession St. Bridge Watermain Repair Schedule B Municipal Class Environmental Assessment

**Confirmation of Receipt**
I am writing on behalf of the Mississaugas of the Credit First Nation (“MCFN”) to acknowledge that we have received your above named communication, dated December 4, 2020.

**Outline of MCFN Rights and Territory**
In 1792, the Crown and MCFN entered into Between the Lakes, No. 3 (1792) regarding the lands in which your project is situated.

The Mississaugas of the Credit First Nation are the descendants of the “River Credit” Mississaugas. The undisputed Territory of the MCFN is defined as a Territory commencing at Long Point on Lake Erie thence eastward along the shore of the Lake to the Niagara River. Then down the River to Lake Ontario, northward along the shore of the Lake to the River Rouge east of Toronto then up that river to the dividing ridges to the head waters of the River Thames then southward to Long Point, the place of the beginning. Our Territory encompasses the lands and waters that were used and occupied by our Ancestors. Territories are usually large tracts of land that reflect the breadth required for seasonal activities and habitation and changes in those movement patterns through time. Through Treaties with the Crown, MCFN agreed to share our Territory with newcomers. However, not all of MCFN’s Territory has been dealt with through a Treaty.
With the exception of a small part of the Credit River, our Treaties with the Crown did not deal with the water parts of our Territory. We have not agreed to share any part of our waters with settlers. We formally gave notice to the Crown of this claim in 2016. We note that any lands that have been artificially created on our waters have also not been dealt with by any Treaty.

Like our ancestors before us, we continue to use the lands, waters, and watershed ecosystems within our Territory for a variety of livelihood, harvesting, ceremonial and spiritual purposes. We have always exercised governance functions and stewardship in order to protect our Territory, conserve the fish and wildlife that depend upon it, and ensure its ongoing ability to sustain our people. We assert that our Aboriginal and treaty rights fundamentally entitle us to continue to act as stewards of our Territory, to be involved in decisions that affect it, and to participate in the ongoing, responsible management of the resources it provides.

Duty to Consult and Accommodate
As you will know, the Crown has a constitutional duty to consult and accommodate MCFN in respect of any decisions that might affect its asserted or proven Aboriginal and/or Treaty Rights. We expect that, consistent with the Crown’s constitutional duty, no approval should be issued to this project until MCFN has been sufficiently consulted and accommodated. Nothing in this letter shall be construed as to affect our Aboriginal and/or Treaty Rights and hence shall not limit any consultation and accommodation owed to MCFN by the Crown or any proponent, as recognized by section 35 of the Constitution Act, 1982.

MCFN has the right to free and informed consent prior to the approval of any project or any planning decision adversely impacting its Territory and to benefit economically from resource development within its Territory.

MCFN has formed the Department of Consultation and Accommodation ("DOCA") to represent its interests in consultation and accommodation matters. It is DOCA's mandate to ensure that we are directly involved in all planning and development that impacts the integrity of our Territory. In this regard, DOCA will assess and help alleviate impacts on our rights, land claims, and ways of life by building relationships with governments and private sector proponents. We share a mutual interest in ensuring that projects in the Territory are planned, reviewed, and developed in a manner which ensures healthy communities, ecological protection, and sustainable development for present and future generations in the Territory.
MCFN is not opposed to development, but MCFN must to be involved in development decision making. MCFN has a deep connection to its Territory and we have a stewardship responsibility for our land. By engaging with us, a project proponent can learn our perspective on how to care for this land and we can work together to shape the project to mitigate damaging effects to our land and perhaps even work to improve our environment. MCFN is the only party who shall determine whether there are impacts to our Aboriginal and treaty rights.

One of the ways we require proponents to engage with us is in providing transparency during the environmental survey and archaeological assessment process. The best way to accomplish this is by having Field Liaison Representatives (“FLRs”) on location while fieldwork is occurring, who can ensure that the Nation’s special interests and concerns are respected and considered during fieldwork. The cultural and natural resources in question are part of MCFN’s territory and heritage and it is our responsibility to ensure their protection, on behalf of the Nation. MCFN’s stewardship of its territory extends through the life of any development project and beyond.

**DOCA Project Registration**
DOCA has completed an initial intake review of the project communication you have provided. This file has been assigned DOCA Project 2020-0727 ; please use this number in all future communications.

We respectfully ask you to immediately notify us if there are any changes to the project.

**Referral to DOCA Units**
Following DOCA’s initial intake review of the project communication, the file has been referred to the following DOCA Units for additional follow-up.

<table>
<thead>
<tr>
<th>Unit Identification</th>
<th>Primary Contact</th>
<th>Email Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓ Archaeology</td>
<td>Megan DeVries</td>
<td>[<a href="mailto:megan.devries@mncfn.ca">megan.devries@mncfn.ca</a>]</td>
</tr>
<tr>
<td>Cultural/Historical</td>
<td>Darin Wybenga</td>
<td>[<a href="mailto:darin.wybenga@mncfn.ca">darin.wybenga@mncfn.ca</a>]</td>
</tr>
<tr>
<td>✓ Environment</td>
<td>Fawn Sault (Temp)</td>
<td>[<a href="mailto:fawn.sault@mncfn.ca">fawn.sault@mncfn.ca</a>]</td>
</tr>
<tr>
<td>✓ FLR Participation</td>
<td>Megan DeVries</td>
<td>[<a href="mailto:megan.devries@mncfn.ca">megan.devries@mncfn.ca</a>]</td>
</tr>
<tr>
<td>Governance</td>
<td>Mark LaForme</td>
<td>[<a href="mailto:mark.laforme@mncfn.ca">mark.laforme@mncfn.ca</a>]</td>
</tr>
<tr>
<td>Economic Development</td>
<td>Director</td>
<td>[<a href="mailto:SED.Director@mncfn.ca">SED.Director@mncfn.ca</a>]</td>
</tr>
</tbody>
</table>

If you have not been contacted by the indicated DOCA Units within fourteen days following receipt of this letter, please let me know.
Request for Missing Information
In order to proceed with our follow-up review, we ask you to ensure that all available information relating to the project has been transmitted to us. We have identified the following general information as missing from your initial project communication:

<table>
<thead>
<tr>
<th>Outstanding Project Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of person or body undertaking the action or decision.</td>
</tr>
<tr>
<td>✔ Contact information for the person or body undertaking the action or decision.</td>
</tr>
<tr>
<td>✔ List of documents pertaining to the proposed action/decision that are available for MCFN to review.</td>
</tr>
<tr>
<td>✔ Description of what other information is expected to become available before the proposed action/decision is undertaken.</td>
</tr>
<tr>
<td>✔ Deadlines or filing dates pertaining to the action/decision.</td>
</tr>
<tr>
<td>✔ The Crown or Municipal review/ approval that is required for the project.</td>
</tr>
<tr>
<td>✔ How the proposed action or decision may affect and/or benefit MCFN, its rights and territory.</td>
</tr>
</tbody>
</table>

Closing
We ask that you respond with the above requested information within fourteen days following receipt of this letter. We thank you in advance for your attention to our requirements and we look forward to working with you further to shape the planning for development in our Territory.

Sincerely,

Fawn Sault
Consultation Coordinator
fawn.sault@mncfn.ca
From: Kevin Dolishny <KDolishny@regionofwaterloo.ca>
Sent: Wednesday, February 03, 2021 11:50 AM
To: 'Megan DeVries' <Megan.DeVries@mncfn.ca>
Cc: Mark LaForme <Mark.LaForme@mncfn.ca>; Fawn Sault <Fawn.Sault@mncfn.ca>; Hohner, Paula <Paula.Hohner@stantec.com>; Sirin Galaria <SGalaria@regionofwaterloo.ca>
Subject: RE: 2020-0727 MCFN Response to the Notice of Study Commencement Concession St. Bridge Watermain Repair Schedule B Municipal Class EA

Good Day Megan,

Please find attached the marine Heritage Report and the Stage 1 Archeological Assessment for the Concession St Watermain Repair. I have also attached a draft participation agreement for your review and consideration.

Kevin Dolishny, P. Eng. | Senior Engineer
Water Services | Region of Waterloo
o.519.575.4400x3862 | c.226.751.4551
kdolishny@regionofwaterloo.ca

From: Megan DeVries <Megan.DeVries@mncfn.ca>
Sent: January-26-21 9:28 AM
To: Kevin Dolishny <KDolishny@regionofwaterloo.ca>
Cc: Mark LaForme <Mark.LaForme@mncfn.ca>; Fawn Sault <Fawn.Sault@mncfn.ca>; 'Hohner, Paula' <Paula.Hohner@stantec.com>; Sirin Galaria <SGalaria@regionofwaterloo.ca>
Subject: RE: 2020-0727 MCFN Response to the Notice of Study Commencement Concession St. Bridge Watermain Repair Schedule B Municipal Class EA
Good morning Kevin,

I am just writing to follow up the request below. Any update you can provide would be appreciated.

Sincerely,

Megan.

Megan DeVries, M.A. (she/her)
Archaeological Operations Supervisor

Department of Consultation and Accommodation (DOCA)
Mississaugas of the Credit First Nation (MCFN)
4065 Highway 6 North, Hagersville, ON N0A 1H0
P: 905-768-4260 | M: 289-527-2763
http://www.mncfn.ca

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From: Megan DeVries
Sent: Wednesday, January 6, 2021 9:41 AM
To: Kevin Dolishny <KDolishny@regionofwaterloo.ca>
Cc: Mark LaForme <Mark.LaForme@mncfn.ca>; Fawn Sault <Fawn.Sault@mncfn.ca>; 'Hohner, Paula' <Paula.Hohner@stantec.com>; Sirin Galaria <SGalaria@regionofwaterloo.ca>
Subject: RE: 2020-0727 MCFN Response to the Notice of Study Commencement Concession St. Bridge Watermain Repair Schedule B Municipal Class EA

Good morning Kevin,

Thank you for this information. We look forward to hearing from you soon with the information and agreement.

Happy New Year!
Megan.

Megan DeVries, M.A.
From: Kevin Dolishny <KDolishny@regionofwaterloo.ca>
Sent: Tuesday, December 22, 2020 5:02 PM
To: Megan DeVries <Megan.DeVries@mncfn.ca>
Cc: Mark LaForme <Mark.LaForme@mncfn.ca>; Fawn Sault <Fawn.Sault@mncfn.ca>; 'Hohner, Paula' <Paula.Hohner@stantec.com>; Sirin Galaria <SGalaria@regionofwaterloo.ca>
Subject: RE: 2020-0727 MCFN Response to the Notice of Study Commencement Concession St. Bridge Watermain Repair Schedule B Municipal Class EA

Good Day Megan,

I confirm receipt of your correspondence related to the Notice of Commencement for the Concession St Bridge Watermain Repair. I am working with my consultants to provide the relevant studies and reports requested in your letter for you and your team’s review. I am also preparing a draft participation agreement between the MCFN and the Region which will outline the terms of compensation for MCFN involvement in the project. I am using a similar MCFN/Region agreement that was recently prepared for the Airport Runway Extension Archeological Assessment as an example. I understand that were involved in that agreement as well.

Due to the time of year and the various holiday schedules it is taking longer that the fourteen days requested in the correspondence to pull all of the information together. I just wanted to touch base to let you know we are working on it, and I expect to be able to provide the reports and a draft agreement to you shortly into the new year. I look forward to working with you and MCFN on this project.

Thanks,
Kevin

Kevin Dolishny, P. Eng. | Senior Engineer
Water Services | Region of Waterloo
o.519.575.4400x3862 | c.226.751.4551
kdolishny@regionofwaterloo.ca
Good morning,

Please find attached a letter from the Mississaugas of the Credit First Nation (“MCFN”) regarding the upcoming assessment for Concession Street Bridge Watermain Repair, as identified below.

Please note that this year, in order to continue maintaining DOCA capacity for fulsome project participation, DOCA will be introducing charges for technical review of project information. In the exercise of its stewardship responsibility, DOCA seeks to work together with project proponents and their archaeological consultants to ensure that archaeological work is done properly and respectfully. DOCA has retained technical advisers with expertise in the field of archaeology. These experts will review the technical aspects and cultural appropriateness of the archaeological assessments and strategies associated with your project. Upon completion of these reviews, MCFN will identify, if necessary, mitigation measures to address any project impacts upon MCFN rights. For cultural materials and human remains, DOCA may advise that this includes ceremonies required by Anishinaabe law, as well as request adjustments to the proposed fieldwork strategy.

The proponent is expected to pay the costs for MCFN to engage in a technical review of the project. DOCA anticipates at this time that all archaeological review will be undertaken by in-house technical experts, but will advise the proponent if an outside peer-review is required. Please find attached the agreement that covers MCFN’s inhouse technical review of the archaeological assessments and strategies associated with your project(s). If you could please fill in the additional required information, highlighted in yellow, and return to us a signed copy, that would be greatly appreciated. After we have received it, we can execute the contract on our end and return the completed contract to you. Afterwards, I can arrange scheduling and other related matters directly with the consultant if you prefer.

Sincerely,

Megan.

Megan DeVries, M.A.
Archaeological Operations Supervisor

Department of Consultation and Accommodation (DOCA)
Mississaugas of the Credit First Nation (MCFN)
4065 Highway 6 North, Hagersville, ON N0A 1H0
Good Afternoon Mr. Dolishny,

Please see the attached letter in response to your project Notice of Study Commencement Concession St. Bridge Watermain Repair Schedule B Municipal Class EA.

Miigwech,

Fawn Sault
Consultation Coordinator
Mississaugas of the Credit First Nation
4065 Hwy. 6, Hagersville, N0A 1H0
Website: http://mncfn.ca/
Ph: 905-768-4260
Cell: 289-527-6580

Holiday alert: Please note that DOCA will be closed from December 18th to January 3rd.
Participation Agreement

Mississaugas of the Credit First Nation, Department of Consultation and Accommodation ("MCFN")

4065 Highway 6 North
Hagersville, ON N0A 1H0, Canada
Telephone: 905-768-4260

Region Office and billing address:
The Regional Municipality of Waterloo (the "Region")
150 Frederick St
Kitchener, ON
f: 519-575-4400x3862
c: 226-751-4551
E-Mail: kdolishny@regionofwaterloo.ca

Date: February 3, 2021
Project: Concession Street Bridge Watermain Replacement Environmental Assessment and Construction

<table>
<thead>
<tr>
<th>Item</th>
<th>Description of Work to be Performed</th>
<th>Qty</th>
<th>Unit Price</th>
<th>Total Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Review of Reports</td>
<td>10 hrs</td>
<td>$150.00/hr</td>
<td>$1,500</td>
</tr>
<tr>
<td>2.</td>
<td>Field Investigation at Regular Hourly Rate (2 FLR for 5 days at 8 hours per day)</td>
<td>80 hrs</td>
<td>$85.00/hr</td>
<td>$6,800</td>
</tr>
<tr>
<td>3.</td>
<td>Field Investigation at Overtime Hourly Rate (2 FLR for 5 days at 2 hours per day)</td>
<td>20hrs</td>
<td>$125.00/hr</td>
<td>$2,500</td>
</tr>
<tr>
<td>4.</td>
<td>Field Investigation Supervisory Fee (3.5% of Labour Fees)</td>
<td>1</td>
<td>3.5% labour</td>
<td>$378</td>
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</tbody>
</table>

**Reimbursable Expenses**

<table>
<thead>
<tr>
<th>Item</th>
<th>Description of Work to be Performed</th>
<th>Qty</th>
<th>Unit Price</th>
<th>Total Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.</td>
<td>Mileage (estimated at 120km/day for 5 days x 2 FLR)</td>
<td>1,200 kms</td>
<td>$0.56/km*</td>
<td>$672</td>
</tr>
<tr>
<td>6.</td>
<td>Breakfast and Lunch Allowance (2 FLRs for 5 days)</td>
<td>10 days</td>
<td>$41.55/day*</td>
<td>$415</td>
</tr>
</tbody>
</table>

* The unit price of these items is based on current Federal Canada Treasury Board rates, should these rates increase between this time and the time the work is performed the rate increase will be reflected on the invoice related to works performed.

MCFN will invoice the Region for the amount of Fees for the actual hours worked and Reimbursable Expenses in accordance with this contract, as may be amended from time to time by a written document signed by both the parties. Should the work or the Project extend beyond the period contemplated at the time this contract was signed, the Region will notify MCFN and, upon mutual agreement of the parties, the Fees of the Field Liaison.
Representatives (“FLR’s”) will be increased in order to take into account the extended time required for providing the Work.

The parties agree that the MCFN will be remunerated for the reasonable costs for up to two FLR’s in connection with the Concession St Bridge Watermain Replacement Environmental Assessment and Construction. The description of work is the review of the Stage 1 Archeological Assessment Report and on-site observation of construction activity related to trenchless watermain crossing of the Grand River, just south of the Concession St Bridge in Cambridge, ON. It is anticipated that the excavation work will be conducted over a maximum of five (5) days. Note, a Stage 2 Archeological Assessment has not been recommended through the Stage 1 assessment.

A – Background

1. The purpose of this agreement is to provide the MCFN with capacity assistance to review reports and other materials and to establish conditions under which the MCFN will provide involvement of its FLR’s in the Project and to set forth the method of financial compensation (“capacity assistance”) on behalf of the Region for the same in connection with the Concession St Bridge Watermain Replacement Environmental Assessment and Construction (hereinafter, “the Project”) located in the Regional Municipality of Waterloo. The parties acknowledge that no further archeological assessments or other archeological fieldwork are planned on-site as part of the Project and that the provisions in this Agreement regarding attendance on-site by MCFN / FLR shall only apply if MCFN and the Region agree that attendance by MCFN / FLR is deemed necessary or desirable for archeological reasons during the Construction.

2. The Proponent understands that MCFN wishes its designated representatives at the Department of Consultation and Accommodation (hereinafter, “DOCA”) to provide timely and meaningful comment on the Project via its established review process.

3. The Proponent, or their consultant(s), will therefore provide all reports in draft form to MCFN (via DOCA) for review and comment prior to their submission to other approval or regulatory authorities. The Proponent and their consultant(s) agree to provide reasonable and adequate time for MCFN to complete its review and provide comments on draft reports. MCFN is unable to review of any material in less than one week.

4. For archaeological assessments, the Proponent agrees that their consultant(s) will provide, if applicable, both the Supplementary Documentation and the Indigenous Engagement report alongside the draft archaeological report. The Indigenous Engagement report must contain the consultant’s full account of MCFN’s participation in and comments on the archaeological assessment.

5. For archaeological assessments, the Proponent agrees that no new fieldwork will commence until MCFN has completed its review and has provided comments on the previous Stage of assessment.
6. MCFN agrees that MCFN representatives will have appropriate qualifications for the work required – for example, education in environmental and/or archaeological assessments – and experience in bridging Indigenous perspectives with Western approaches, as reasonably determined by MCFN.

7. Archaeological Research Associates Ltd., (hereinafter, "ARA") is the Archaeological Consultant of the Region. MCFN acknowledges that the Region has retained ARA to perform archaeological services at the Project, that FLRs will follow the reasonable instructions of ARA in conducting the archaeological work and concerning safety practices at the jobsite, except as noted in article 4.

8. For the purposes of the Occupational Health and Safety Act, the parties acknowledge and agree that the Region has engaged MCFN pursuant to this agreement solely to oversee quality control for the Project in regard to the archaeological services, that MCFN will not engage in any construction and that the general contractor, to be determined by the Region, is STANTEC is the constructor for the Project, if applicable. Further, MCFN will abide by the Occupational Health and Safety Act and the applicable regulations along with applicable ARA policies while working in the quality control capacity.

9. For clarity, MCFN and the FLRs will consult with ARA the STANTEC/REGION OF WATERLOO where the FLRs are of the reasonable view that conditions are unsafe, or where MCFN is of the view that weather conditions are likely to significantly interfere with the quality of the fieldwork.

10. MCFN wishes to send its FLRs to participate in the archaeological fieldwork associated with the Project, and that the FLRs’ mandate will be to ensure that MCFN’s perspectives and priorities are considered and to enable MCFN to provide timely and meaningful comment on archaeological matters related to the Project.

11. For greater certainty, this Agreement does not necessarily discharge the duty to consult and accommodate MCFN by the Region, the Crown, or both, or represent consent of MCFN to the Project. MCFN will consider the results of the field work that is the subject of this agreement in determining whether it has been sufficiently consulted and accommodated.

B - Fees Reimbursable Expenses, and Cost Structure

12. The Proponent will provide capacity funding for the designated DOCA staff representative in the amount of $150.00 per hour for all activities relating to review of Project materials.

13. If MCFN is of the view, that designated DOCA staff are unable to complete a comprehensive technical review of Project materials, the Proponent agrees to pay costs incurred by MCFN to retain an external expert in the appropriate field to be chosen at MCFN’s sole discretion. The Parties agree that a review by an external expert will
commence following mutual acceptance by both Parties of an estimate of work provided by the expert.

14.13. The parties agree that the Region will provide capacity funding for each FLR in the amount of $85.00 per hour for all activities relating to the Project (including but not limited to actual travel time at the beginning and end of the day, time spent on site, time spent on standby at the request of ARA, Project-specific training, etc.).

15.14. The parties agree that the Region will pay a supervisory fee of 3.5% based on the number of hours charged to the Project, to provide MCFN with the capacity to facilitate in-field technical support for the FLR’s.

16.15. The parties agree that the Region will reimburse the FLR’s for reasonable mileage and meals ("Reimbursable Expenses") in accordance with current Federal Canada Treasury Board guidelines, over and above the hourly rate of $85.00 per hour [see Appendix A]. Mileage rates are determined using the MCFN Department of Consultation and Accommodation (DOCA) as the place of departure.

17.16. The parties agree that the Region will provide capacity funding for each FLR in the amount of $125.00 per hour for any work exceeding eight hours per day and/or forty hours per week. The above noted mileage and meal allowance remains in effect.

18.17. The parties agree that the Region will provide capacity funding for each FLR in the amount of $125.00 per hour for any work occurring on the following holidays: New Year’s Day, Family Day, Good Friday, Victoria Day, Indigenous Solidarity Day (June 21), Canada Day, Civic Holiday, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, and Boxing Day. The above noted mileage and meal allowance rates remain in effect.

19.18. The parties agree that the Region will provide capacity funding for each FLR, or designated MCFN representative in the event that no FLRs are available, in the amount of $100.00 per hour for any work occurring during the off-season winter months (January, February, and March inclusive) plus Reimbursable Expenses.

20.19. The Parties agree that FLRs will be paid for a minimum of three hours, plus actual travel time, and Reimbursable Expenses, on any day when fieldwork is cancelled while FLR’s are en route to the work site or after the FLR’s have already arrived.

21.20. Invoices will clearly reference the agreement. Invoices may be submitted not more frequently than monthly. Payment on MCFN’s invoices will be made within 30 days of the Region’s receipt.

C - Additional Conditions

22.21. All archaeological work in connection with any Project in the Territory will be carried out in accordance with the Ontario Heritage Act and its Regulations. The Archaeological work will meet or exceed the Ontario Ministry of Heritage, Sport, Tourism, and Culture

23.22. The Proponent agrees that all archaeological work conducted for the Project will comply with the MCFN Standards and Guidelines for Archaeology (published April 2, 2018), (hereinafter, “MCFN Standards”) as long as the MCFN Standards do not fall below MHSTCI Standards 2011. The MHSTCI Standards 2011 will be paramount in the event of a direct conflict between MCFN Standards and the MHSTCI Standards 2011.

24.23. MCFN requires two of its FLR’s to be on location whenever archaeological fieldwork is taking place.

25.24. Furthermore, additional FLR’s are required if the number of field personnel utilized by the consultant exceeds fourteen (14) individuals and ARA agrees to provide capacity funding for additional FLR’s as required. MCFN requires one additional FLR per five additional field crew, as outlined in the chart below:

<table>
<thead>
<tr>
<th>Number of Field Personnel</th>
<th>Number of FLRs Required</th>
</tr>
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<tbody>
<tr>
<td>1 to 14</td>
<td>2</td>
</tr>
<tr>
<td>15 to 19</td>
<td>3</td>
</tr>
<tr>
<td>20 to 24</td>
<td>4</td>
</tr>
<tr>
<td>25 to 29</td>
<td>5</td>
</tr>
<tr>
<td>30 to 34</td>
<td>6</td>
</tr>
<tr>
<td>35 to 39</td>
<td>7</td>
</tr>
<tr>
<td>40+</td>
<td>8+</td>
</tr>
</tbody>
</table>

26.25. The parties acknowledge that the FLR’s time and travel will be recorded and verified using the ClockShark Time Tracking Software System and that invoicing will be prepared using these records, not those of a third party.

27.26. If its use is deemed necessary by both parties, the Region shall reimburse the FLR’s for their use of the 407ETR upon receipt of a copy of the bill. This agreement will be provided in writing to MCFN’s Archaeological Operations Supervisor.

28.27. If deemed reasonable by both parties, the Region agrees to cover the cost of overnight accommodation for FLR’s participating in archaeological fieldwork at locations which would otherwise require more than 90 minutes of travel time at both the beginning and end of the work day, as determined using the MCFN Department of Consultation and Accommodation as the place of departure. An additional Incidental Allowance fee is required for any work which requires overnight accommodations. This agreement will be provided in writing to MCFN’s Archaeological Coordinator.
29. The Proponent shall make best efforts to avoid and protect archaeological sites, artifacts, and/or features. The Parties agree that the preferred option for human remains that may be of Aboriginal ancestry is that they remain where they are found with appropriate protections.

30. If archaeological resources are encountered at any time during construction or other Project-related activity, all excavation or other activity that could disturb the site shall immediately cease, and the Proponent shall immediately notify MCFN's duly appointed Archaeological Operations Supervisor or designate. The Parties shall work collaboratively to minimize impacts and ensure respectful treatment of any archaeological resources in accordance with the practices and values of MCFN as identified by MCFN.

31. If at any time during construction or archaeological assessment ancestral human remains are encountered, the following steps shall be taken:
   a. The person in charge of the work shall immediately contact the Ministry of Tourism Culture and Sport, the Cemeteries Regulation Unit of the Ontario Ministry of Consumer Relations, MCFN’s duly appointed Archaeological Operations Supervisor, the appropriate municipal police, the local coroner, and ARA, if applicable;
   b. All excavation or other activity that could disturb the site shall immediately cease, and the area shall be secured in a manner which protects the site location and prevents public access and trespass; and
   c. In addition to any requirements of the Ontario Heritage Act and the Funeral, Burial and Cremation Services Act, 2002, S.O.2002, c.33, (“Funeral, Burial and Cremation Services Act”) MCFN shall be provided equal rights to determine the requirements for treatment of ancestral remains found at the site, including the procedures and ceremonies involved in their recovery, handling, protection or possible reburial.

32. Nothing in this Agreement shall be interpreted or implemented so as to derogate or abrogate from any MCFN Aboriginal or Treaty right or claim, or to indicate consent to the Project.

D - Coordination of the FLR’s

33. The parties agree that the FLR’s will follow the reasonable instructions of ARA STANTEC/REGION OF WATERLOO in conducting the archaeological field work, and concerning safety practices, and that the FLR’s will attend "tailgate" safety meetings if requested.

34. The contact person for activities relating to the environmental assessment portion of the Project is Kevin Dolishny from the Region of Waterloo. Contact information for this person is as follows:

   Kevin Dolishny
   Region of Waterloo
   150 Frederick St
The contact person for the archaeological report review portion of the work is Victoria Cafik from ARA. Contact information for this person is as follows:

Victoria Cafik
Archaeological Research Associates Ltd
219-900 Guelph Street, Kitchener, ON, N2H 5Z6
Email address: victoria.cafik@araheritage.ca
Phone: 519.212.5172

The parties agree that the contact person for ARA STANTEC/REGION OF WATERLOO will coordinate site meeting locations and times through MCFN's duly appointed Archaeological Operations Supervisor or, when necessary, directly with the FLRs themselves. Contact information for the Archaeological Operations Supervisor is as follows:

Joelle Williams
Telephone: 905-768-4260
Cell: 905-870-2918
Email: joelle.williams@mncfn.ca

E - Status of the FLRS

The FLR's selected by MCFN have appropriate qualifications for the work required, for example, training in environmental and/or archaeological monitoring, and experience in bridging Indigenous perspectives with Western approaches, as reasonably determined by MCFN.

The parties agree that the FLR's are not employees, contractors, or sub-contractors of the Region or ARA, and that the FLR's will be responsible for their own personal protective equipment on site for the Project, including hard hats, safety boots, safety glasses and safety vests, unless specific or otherwise unique personal protective equipment is required, which will therefore be provided or reimbursed by the Region through ARA.

FLR's take direction from MCFN. MCFN maintains its own liability insurance and pays WSIB contributions in respect of the FLR's. However, MCFN expects that the Region, MCFN and ARA will comply with the Occupational Health and Safety Act and the Human Rights Code, and maintain a safe, harassment-free work environment.

F - Method of Payment
40.39. The parties agree that payment of the capacity funding as agreed to above will be made
by cheque or bank transfer and upon receipt of an invoice from MCFN. All invoices will be
addressed directly to the Region, the Project will be noted in the text of each invoice, and
all invoices will be prepared as per MCFN-DOCA’s standard invoicing format. Invoices
should be submitted electronically to the following address:

   Email address: kdolishny@regionofwaterloo.ca
   Attention: Kevin Dolishny
   Region of Waterloo
   519-575-4400x3862
   150 Frederick St
   Kitchener ON N2G 4J3

41.40. All payment should be made to the MCFN Department of Consultation and
Accommodation to the following address. For additional information, please call the office
at 905-768-4260.

   Email address: nicole.laforme-hess@mncfn.ca
   Attention: MCFN-DOCA
   4065 Highway 6
   Hagersville, Ontario
   NOA 1 HO

G – Disclaimer

42.41. The parties agree that the capacity funding payments for the FLR’s will be used only for
the purposes described in this letter of agreement and will not be paid for the improper
personal gain of any individual or for any other purpose that might violate any Canadian
anti-corruption law.

43.42. This agreement may be executed in counterparts.

44.43. This agreement is legally binding on MCFN and the Proponent.

45.44. The term of this agreement is from **January 13, 2021 to DecemberMarch 31, 2021**. In
the event that Project-related activities requiring FLR participation continue past this
termination date, a new agreement will be executed between Parties.

H - Insurance

46.45. MCFN will at its own expense maintain for the term of this agreement a comprehensive
general liability (hereinafter, "CGL") policy with a policy limit of at least two million dollars
($2,000,000) and shall provide ARA with evidence of such insurance upon execution of
this Agreement.
a. MCFN shall name the Region and ARA as additional insured against claims for personal injury or property in relation to the Project on the above described CGL policy.

47.46. The Region and/or ARA will at its own expense maintain for the term of this agreement a comprehensive general liability policy with a policy limit of at least two million dollars ($2,000,000) and shall provide MCFN with evidence of such insurance upon request.

a. The Region and/or ARA shall name MCFN as additional insured, to the extent of the liabilities assumed by the Region and/or ARA in the performance of the services on the above described policy.
IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first written above.

The Regional Municipality of Waterloo

Per: ______________________________
Name: Kevin Dolishny
Title: Senior Engineer, Region of Waterloo

The Mississaugas of the Credit First Nation

Per: ______________________________
Name: 
Title: 
<table>
<thead>
<tr>
<th>Contact Information</th>
<th>Comment</th>
<th>Response/Commitment to Carry Forward</th>
</tr>
</thead>
</table>
| Brad Paddock  
117-119 Grand Ave S  
226-989-2268  
bmpaddock@uwaterloo.ca | UW Architect Professor living in 1870 designated heritage home within study area, Request to be added to stakeholder list. | Added to contact list for future follow-up. |
| Paola Rowe,  
Tour de Grand Cycling Committee  
paola.rowe@gmail.com | Member of Tour De Grant Cycling Committee and had concerns about potential closures of the Concession Street Bridge as this would impact 3 of the Tour De Grant cycle routes. | Contact was informed that for the majority of the work, there will be no road or bridge closures. Road closures will be required near the end of the project, however this is likely to happen in 2022 and will not impact June 2021 cycle event. Contact was added to mailing list and informed to stay in contact with Sirin, Project Manager to confirm whether 2022 cycle event will be impacted. |
<table>
<thead>
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<th>Response/Commitment to Carry Forward</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sarah Austin, P.Eng. Manager of Development Engineering Community Development T: 519-623-1340  ext. 4552 <a href="http://www.cambridge.ca">www.cambridge.ca</a></td>
<td>Request to be added to contact list as representative for City of Cambridge.</td>
<td>Added to contact list for future follow-up.</td>
</tr>
</tbody>
</table>